

AMENDMENTS TO THE CLAIMS:

What is claimed is:

1. (Withdrawn) A capsule for a powder having a body which is provided with an internal chamber to hold the powder and first and second openings to an exterior environment, the body adapted to be displaced from a filling state, in which the first and second openings are placed in fluid communication with one another through the internal chamber thereby enabling creation of an airflow through the body from the second opening to the first opening which is able to entrain powder in the exterior environment into the internal chamber for filling thereof, to a sealing state in which the internal chamber is sealed from the exterior environment so as to retain the powder held therein.
2. (Withdrawn) The capsule of claim 1 in which the filling and sealing states are, respectively, expanded and contracted states of the body.
3. (Withdrawn) The capsule of claim 1 wherein in the filling state of the body the first opening is partially obstructed to an extent which permits airflow therethrough, but which becomes occluded with powder entrained in the airflow.
4. (Withdrawn) The capsule of claim 1, in which the body is a multi-part structure in which parts of the body are moved relative to one another to bring the body to its filling and sealing states.
5. (Withdrawn) The capsule of claim 4 in which the body is assembled in both the filling and sealing states.
6. (Withdrawn) The capsule of claim 4 in which the body has first and second parts which are moved relative to one another to bring the body to its filling and sealing states.
7. (Withdrawn) The capsule of claim 5 wherein in the filling and sealing states the first part is mounted to the second part.

8. (Withdrawn) The capsule of claim 6 wherein in the sealing state the first part is disposed in a first position relative to the second part in which it sealingly closes the first and second openings, and wherein in the filling state the first part is disposed in a second position relative to the second part in which it opens the first and second openings.

9. (Withdrawn) The capsule of claim 6 wherein in the filling state of the body, the first opening is partially obstructed to an extent which permits airflow therethrough, but which becomes occluded with powder entrained in the airflow, and in which the first part partially obstructs the first opening in the filling state.

10. (Withdrawn) The capsule of claim 9 in which the first part is partially plugged in the first opening in the filling state.

11. (Withdrawn) The capsule of claim 10 in which the first part has a plug section which is located in the first opening in the filling state, the plug section having an outer surface which, in the filling state, is at least in part spaced from an inner surface of the first opening.

12. (Withdrawn) The capsule of claim 11 in which the outer surface has first and second outer surface portions, wherein in the filling state the first outer surface portion is spaced from the inner surface of the first opening and the second outer surface portion abuts the inner surface of the first opening.

13. (Withdrawn) The capsule of claim 12 in which the first outer surface portion corresponds to one or more channels in the outer surface of the plug section.

14. (Withdrawn) The capsule of claim 11 in which the plug section is a first plug section and the first part has a second plug section which sealingly plugs the first opening in the sealing state.

15. (Withdrawn) The capsule of claim 14 in which the body is moved from the filling state to the sealing state by movement of the first part in a first direction relative to the second part, the first plug section being disposed, in use, on the first part in the first direction relative to the second plug section.

16. (Withdrawn) The capsule of claim 14 in which the first and second plug sections are contiguously arranged.

17. (Withdrawn) The capsule of claim 8 in which the first part sealingly plugs the second opening in the sealing state.

18. (Withdrawn) The capsule of claim 6 in which the first opening is formed in the second part.

19. (Withdrawn) The capsule of claim 6 in which the second opening is formed in the second part.

20. (Withdrawn) The capsule of claim 18 in which the second part is a sleeve part with an internal passageway which connects the first and second openings.

21. (Withdrawn) The capsule of claim 20 in which the first opening is formed by a restriction in the passageway.

22. (Withdrawn) The capsule of claim 21 in which the restriction is formed by an inwardly directed shoulder in the passageway.

23. (Withdrawn) The capsule of claim 20 in which the second opening is formed at an end of the internal passageway.

24. (Withdrawn) The capsule of claim 6 in which the first part is mounted in the second part for sliding movement relative thereto.

25. (Withdrawn) The capsule of claim 6 in which the internal chamber is defined between the first and second parts.

26. (Withdrawn) The capsule of claim 20 in which the first part is slidably mounted in the passageway and the internal chamber is defined between the inner surface of the passageway and the outer surface of the first part.

27. (Withdrawn) The capsule of claim 6 wherein in the filling state the first part extends through the second opening to leave a gap therebetween for ingress of the entrained powder into the internal chamber and wherein in the sealing state the first part is moved into sealing relation in the second opening.

28. (Withdrawn) The capsule of claim 27 in which the first part has a cap section which, in the filling state, is spaced exteriorly of the second opening, but which in the sealing state is sealingly seated in the second opening.

29. (Withdrawn) The capsule of claim 28 in which the body is a multi-part structure in which parts of the body are moved relative to one another to bring the body to its filling and sealing states, and in which the body has first and second parts which are moved relative to one another to bring the body to its filling and sealing states, wherein in the filling state of the body, the first opening is partially obstructed to an extent which permits airflow therethrough, but which becomes occluded with powder entrained in the airflow, and in which the first part partially obstructs the first opening in the filling state, in which the first part is partially plugged in the first opening in the filling state, and in which the first part has a plug section which is located in the first opening in the filling state, the plug section having an outer surface which, in the filling state, is at least in part spaced from an inner surface of the first opening, and in which the first part has a shank section connecting the cap section to the plug section.

30. (Withdrawn) The capsule of claim 6 in which the first and second parts are further movable relative to one another to bring the body from the sealing state to a discharging state in which an airflow is able to be produced through the body from the first opening to the second opening to entrain the powder in the internal chamber into the exterior environment.

31. (Withdrawn) The capsule of claim 30 for a powder having a body which is provided with an internal chamber to hold the powder and first and second openings to an exterior environment, the body adapted to be displaced from a filling state, in which the first and second openings are placed in fluid communication with one another through the internal chamber thereby enabling creation of an airflow through the body from the second

opening to the first opening which is able to entrain powder in the exterior environment into the internal chamber for filling thereof, to a sealing state in which the internal chamber is sealed from the exterior environment so as to retain the powder held therein, wherein in the filling state of the body the first opening is partially obstructed to an extent which permits airflow therethrough, but which becomes occluded with powder entrained in the airflow, in which the first part partially obstructs the first opening in the filling state, in which the first part is partially plugged in the first opening in the filling state, in which the first part has a plug section which is located in the first opening in the filling state, the plug section having an outer surface which, in the filling state, is at least in part spaced from an inner surface of the first opening, wherein the first part has a section with a transverse dimension which is less than the corresponding dimension of the plug section, the section being located with respect to the plug section such that in the discharging state it is brought into registration with the first opening.

32. (Withdrawn) The capsule of claim 1 comprising a pharmaceutical powder in the internal chamber.

33. (Withdrawn) The capsule of claim 32 having a unit dose of the pharmaceutical powder in the internal chamber.

34. (Withdrawn) The capsule of claim 1 in which the internal chamber is the sole internal chamber.

35. (Withdrawn) An inhalation device comprising one or more capsules according to claim 33.

36. (Currently amended) A method of providing a capsule filled with a powder having the steps of:

(a) providing a capsule for a powder, said capsule having a body which is provided with an internal chamber to hold the powder, and first and second openings to an exterior environment, the body adapted to be displaced from a filling state, in which the first and second openings are placed in fluid communication with one another through the internal chamber thereby enabling creation of an airflow through the body from the second opening to the first opening which is able to entrain

powder in the exterior environment into the internal chamber for filling thereof, to a sealing state in which the internal chamber is sealed from the exterior environment so as to retain the powder held therein,

wherein said capsule is in its filling state,

(b) creating an airflow through the body of the capsule in a direction from the second opening to the first opening to cause powder from a powder source disposed externally of the capsule to be entrained into the internal chamber of the body, and

(c) moving the capsule to its sealing state.

37. (Original) The method of claim 36 in which the powder source is a powder cloud.

38. (Previously presented) The method of claim 36 in which the airflow is created by applying a vacuum at the first opening.

39. (Previously presented) The method of claim 36 in which the powder is a pharmaceutical powder.

40. (Previously presented) The method of claim 36 applied to a plurality of the capsules simultaneously.

41. (Previously presented) The method of claim 36 applied to a plurality of the capsules so that each capsule contains the same quantity of powder or substantially the same quantity of powder.

42 – 43. (Cancelled)

44. (Previously presented) The method of claim 36 in which the filling and sealing states are, respectively, expanded and contracted states of the body.

45. (Previously presented) The method of claim 36 wherein in the filling state of the body the first opening is partially obstructed to an extent which permits airflow therethrough, but which becomes occluded with powder entrained in the airflow.

46. (Previously presented) The method of claim 36, in which the body is a multi-part structure in which parts of the body are moved relative to one another to bring the body to its filling and sealing states.

47. (Previously presented) The method of claim 46 in which the body is assembled in both the filling and sealing states.

48. (Previously presented) The method of claim 46 in which the body has first and second parts which are moved relative to one another to bring the body to its filling and sealing states.

49. (Previously presented) The method of claim 47 wherein in the filling and sealing states the first part is mounted to the second part.

50. (Previously presented) The method of claim 48 wherein in the sealing state the first part is disposed in a first position relative to the second part in which it sealingly closes the first and second openings, and wherein in the filling state the first part is disposed in a second position relative to the second part in which it opens the first and second openings.

51. (Previously presented) The method of claim 48 wherein in the filling state of the body, the first opening is partially obstructed to an extent which permits airflow therethrough, but which becomes occluded with powder entrained in the airflow, and in which the first part partially obstructs the first opening in the filling state.

52. (Previously presented) The method of claim 51 in which the first part is partially plugged in the first opening in the filling state.

53. (Previously presented) The method of claim 52 in which the first part has a plug section which is located in the first opening in the filling state, the plug section having an outer surface which, in the filling state, is at least in part spaced from an inner surface of the first opening.

54. (Previously presented) The method of claim 53 in which the outer surface has first and second outer surface portions, wherein in the filling state the first outer surface portion is spaced from the inner surface of the first opening and the second outer surface portion abuts the inner surface of the first opening.

55. (Previously presented) The method of claim 54 in which the first outer surface portion corresponds to one or more channels in the outer surface of the plug section.

56. (Previously presented) The method of claim 53 in which the plug section is a first plug section and the first part has a second plug section which sealingly plugs the first opening in the sealing state.

57. (Previously presented) The method of claim 56 in which the body is moved from the filling state to the sealing state by movement of the first part in a first direction relative to the second part, the first plug section being disposed, in use, on the first part in the first direction relative to the second plug section.

58. (Previously presented) The method of claim 56 in which the first and second plug sections are contiguously arranged.

59. (Previously presented) The method of claim 50 in which the first part sealingly plugs the second opening in the sealing state.

60. (Previously presented) The method of claim 48 in which the first opening is formed in the second part.

61. (Previously presented) The method of claim 48 in which the second opening is formed in the second part.

62. (Previously presented) The method of claim 60 in which the second part is a sleeve part with an internal passageway which connects the first and second openings.

63. (Previously presented) The method of claim 62 in which the first opening is formed by a restriction in the passageway.

64. (Previously presented) The method of claim 63 in which the restriction is formed by an inwardly directed shoulder in the passageway.

65. (Previously presented) The method of claim 62 in which the second opening is formed at an end of the internal passageway.

66. (Previously presented) The method of claim 48 in which the first part is mounted in the second part for sliding movement relative thereto.

67. (Previously presented) The method of claim 48 in which the internal chamber is defined between the first and second parts.

68. (Previously presented) The method of claim 62 in which the first part is slidably mounted in the passageway and the internal chamber is defined between the inner surface of the passageway and the outer surface of the first part.

69. (Previously presented) The method of claim 48 wherein in the filling state the first part extends through the second opening to leave a gap therebetween for ingress of the entrained powder into the internal chamber and wherein in the sealing state the first part is moved into sealing relation in the second opening.

70. (Previously presented) The method of claim 69 in which the first part has a cap section which, in the filling state, is spaced exteriorly of the second opening, but which in the sealing state is sealingly seated in the second opening.

71. (Previously presented) The method of claim 70 in which the body is a multi-part structure in which parts of the body are moved relative to one another to bring the body to its filling and sealing states, and in which the body has first and second parts which are moved relative to one another to bring the body to its filling and sealing states, wherein in the filling state of the body, the first opening is partially obstructed to an extent which permits airflow therethrough, but which becomes occluded with powder entrained in the airflow, and in which the first part partially obstructs the first opening in the filling state, in which the first part is partially plugged in the first opening in the filling state, and in which the first part has a

plug section which is located in the first opening in the filling state, the plug section having an outer surface which, in the filling state, is at least in part spaced from an inner surface of the first opening, and in which the first part has a shank section connecting the cap section to the plug section.

72. (Previously presented) The method of claim 48 in which the first and second parts are further movable relative to one another to bring the body from the sealing state to a discharging state in which an airflow is able to be produced through the body from the first opening to the second opening to entrain the powder in the internal chamber into the exterior environment.

73. (Cancelled)

74. (Previously presented) The method of claim 36 comprising a pharmaceutical powder in the internal chamber.

75. (Previously presented) The method of claim 74 having a unit dose of the pharmaceutical powder in the internal chamber.

76. (Previously presented) The method of claim 36 in which the internal chamber is the sole internal chamber.

77. (New) The method of claim 72 wherein,

in the filling state, the first opening is partially obstructed to an extent which permits airflow therethrough, but which becomes occluded with powder entrained in the airflow,

wherein the first part has a plug section and said plug section has an outer surface which is at least in part spaced from an inner surface of the first opening in the filling state, the first part being partially plugged in the first opening, and partially obstructing the first opening, and

wherein the first part has a section with a transverse dimension which is less than the corresponding dimension of the plug section, the section being located with respect to

Application No.: 10/535,453
Attorney Docket No.: P33149USw

the plug section such that in the discharging state the section of the first part with a transverse dimension is brought into registration with the first opening.